

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Joe Glenn,

Complainant

against

Docket #FIC 2025-0038

Superintendent of Schools, Groton Public  
Schools; and Groton Public Schools,

Respondents

November 19, 2025

The above-captioned matter was heard as a contested case on June 18, 2025, at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.<sup>1</sup>

After the contested case hearing on this matter, by order of the hearing officer, the respondents submitted two after-filed exhibits, which have been admitted into evidence, over the complainant's objection, and marked as follows: Respondents' Exhibit 4 (after-filed): affidavit of Assistant Principal Amy McKenna, signed July 7, 2025 ("Exhibit 4"); and Respondents' Exhibit 5 (after-filed): affidavit of Principal Matthew Brown, signed June 7, 2025 ("Exhibit 5").

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that, by email dated January 9, 2025, the complainant requested copies of records related to two meetings he had with employees of Fitch High School to discuss the complainant's employment and subsequent termination. Specifically, he requested:
  - (a) "[t]he notes taken by [Assistant Principal Amy] McKenna during the December 20[, 2024] meeting"; and
  - (b) "[t]he notes taken by [Principal Matthew] Brown during the January 2[, 2025] meeting."
3. By letter of complaint, dated and filed January 15, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information ("FOI") Act

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<sup>1</sup> The case caption has been amended to accurately identify the respondents in this matter.

by failing to provide the records, described in paragraph 2, above. The complainant also requested the imposition of a civil penalty against the respondents.

4. Section 1-200(5), G.S., provides:

“[p]ublic records or files” means any recorded data or information relating to the conduct of the public’s business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract under 1-218, whether such data or information be handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method.

5. Section 1-210(a), G.S., provides, in relevant part:

[e]xcept as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to ... (3) receive a copy of such records in accordance with section 1-212.

6. Section 1-212(a), G.S., provides, in relevant part: “[a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.”

7. It is concluded that the requested records, to the extent they exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

8. It is found that, by email dated January 22, 2025, the respondents provided the complainant with copies of: (a) the typed notes of Assistant Principal McKenna from her December 20, 2024 meeting with the complainant (“December 20<sup>th</sup> meeting”), and (b) the typed notes of Principal Brown from his January 2, 2025 meeting with the complainant (“January 2<sup>nd</sup> meeting”).

9. It is found that, by email dated January 23, 2025, the complainant informed the respondents that he was specifically requesting copies of the “handwritten notes” taken by Assistant Principal McKenna and Principal Brown during the December 20<sup>th</sup> meeting and the January 2<sup>nd</sup> meeting, respectively.

10. At the hearing on this matter, the respondents’ attorney represented that no handwritten notes exist because it is the routine practice of Assistant Principal McKenna and Principal Brown to transcribe their handwritten notes into a typed format and then destroy such handwritten notes, and that such routine practice was followed here.

11. By order of the hearing officer, the respondents submitted the affidavits of Assistant Principal McKenna (after-filed Exhibit 4) and Principal Brown (after-filed Exhibit 5) to determine whether they followed their routine practice regarding the destruction of meeting notes and if so, when Assistant Principal McKenna and Principal Brown destroyed the handwritten notes at issue here.

12. In after-filed Exhibit 4, Assistant Principal McKenna attested, and it is found, that on December 22, 2024, in accordance with her routine practice, she typed her notes from the December 20<sup>th</sup> meeting and shredded the handwritten originals.

13. In after-filed Exhibit 5, Principal Brown attested, and it is found, that on January 2, 2025, in accordance with his routine practice, he typed his notes from the January 2<sup>nd</sup> meeting and shredded the handwritten originals.

14. It is therefore found that, as of the complainant's records request on January 9, 2025, and as of his clarification for "handwritten notes" on January 23, 2025, no handwritten notes responsive to his request described in paragraph 2, above, existed or were maintained by the respondents.

15. At the contested case hearing and in his post-hearing brief, the complainant argued that the respondents' admission to the destruction of the handwritten notes described in paragraphs 10 through 14, above, is a violation of the FOI Act.

16. It is well settled, however, that the Commission does not have jurisdiction over matters relating to the retention and destruction of public records. Rather, authority over such matters rests with the State's Public Records Administrator, pursuant to §§1-18 and 11-8 through 11-8b, G.S., and with the Office of the State's Attorney, pursuant to §1-240, G.S. See Dept. of Public Safety v. Freedom of Information Commission, 103 Conn. App. 571, 577 (2007) (the Commission is a creature of statute with limited jurisdiction; it can only administer and enforce the provisions set forth in the FOI Act). See also Docket #FIC 2024-0225, Deanna Bouchard v. Superintendent of Schools, Colchester Public Schools, et al., (March 26, 2025); C.J. Mozzochi, Ph.D. v. Marshall Porter, Chief Police Department, Town of Glastonbury, et al., (June 26, 2024); Docket #FIC 2022-0598, Jon Shoenhorn v. Commissioner, State of Connecticut, Department of Emergency Services and Public Protection, et al., (September 26, 2023); Docket #FIC 2019-0719, Robert Cushman v. Director, Central Communications, City of Middletown, et al., (November 18, 2020); Docket #FIC 2019-0607, David Montoya v. Superintendent of Schools, Westport Public Schools, et al., (June 23, 2021); Docket #FIC 1997-397, James Connolly v. Mayor, City of Hartford, et al., (April 18, 1998); Docket #FIC 1979-220, Bijan Bahramian v. City and Town of Meriden, et al., (February 26, 1980).


17. It is therefore concluded, based on the facts and circumstances of this case, that the respondents did not violate the disclosure provisions of §§1-210(a) and 1-212(a), G.S., as alleged by the complainant.

18. Based upon the foregoing, the Commission need not consider the imposition of a civil penalty.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of November 19, 2025.

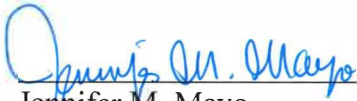
  
Jennifer M. Mayo  
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

**JOE GLENN**, 40 Country Club Road, Groton, CT 06340

**SUPERINTENDENT, GROTON PUBLIC SCHOOLS; AND GROTON PUBLIC SCHOOLS**, c/o Attorney Floyd J. Dugas, Berchem, Moses PC, 75 Broad Street, Milford, CT 06460



Jennifer M. Mayo  
Acting Clerk of the Commission